

85th Legislative Session – 2010

Committee: Senate Commerce

Thursday, February 18, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Adelstein
P Gant
P Merchant
P Nesselhuf
P Turbak Berry
P Nelson, Vice-Chair
P Olson (Russell), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Russell Olson.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 16, 2010

Moved by: Gant
Second by: Adelstein
Action: Prevailed by voice vote.

SB 136: allow municipalities to maintain the same number of on-sale alcoholic beverage licenses when certain on-sale alcoholic beverage licenses are not reissued.

Presented by: Senator Cooper Garnos
Proponents: Yvonne Taylor, SD Municipal League

MOTION: AMEND SB 136

136fa

On page 1, line 13, of the printed bill, delete everything after "," and insert "the number of licenses held by a municipality pursuant to chapter 35-3 may not be less than the total number of

licenses available to be issued as of July 1, 2010."

On page 1, delete lines 14 and 15.

On page 2, delete line 1.

Moved by: Nesselhuf
Second by: Gant
Action: Prevailed by voice vote.

MOTION: DO PASS SB 136 AS AMENDED

Moved by: Nesselhuf
Second by: Gant
Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Adelstein, Gant, Nesselhuf, Nelson, Olson (Russell)

Excused: Merchant, Turbak Berry

MOTION: PLACE SB 136 ON CONSENT CALENDAR

Moved by: Adelstein
Second by: Nesselhuf
Action: Prevailed by voice vote.

SB 190: revise certain provisions regarding the opt-out rights of credit card customers.

Presented by: Senator Thomas Dempster
Proponents: Jeremiah D. Murphy, Citibank
Curt Everson, SD Bankers Association

MOTION: DO PASS SB 190

Moved by: Adelstein
Second by: Merchant
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Gant, Merchant, Nesselhuf, Turbak Berry, Nelson, Olson (Russell)

MOTION: PLACE SB 190 ON CONSENT CALENDAR

Moved by: Nesselhuf
Second by: Merchant
Action: Prevailed by voice vote.

SB 169: limit the subrogation of certain insurers unless and until the insurer is made whole.

See prior testimony on Tuesday, February 16, 2010

MOTION: DO PASS SB 169

Moved by: Merchant
Second by: Nesselhuf
Action: Prevailed by roll call vote. (5-2-0-0)

Voting Yes: Adelstein, Merchant, Nesselhuf, Turbak Berry, Nelson

Voting No: Gant, Olson (Russell)

MOTION: AMEND TITLE OF SB 169

169jta

On page 1, line 2, of the printed bill, delete "insurer" and insert "insured".

Moved by: Turbak Berry
Second by: Merchant
Action: Prevailed by voice vote.

HB 1137: permit the secretary of state to cancel a trademark or service mark registration under certain conditions.

Presented by: Representative Bob Faehn

MOTION: DO PASS HB 1137

Moved by: Merchant
Second by: Nelson

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Gant, Merchant, Nesselhuf, Turbak Berry, Nelson, Olson (Russell)

MOTION: PLACE HB 1137 ON CONSENT CALENDAR

Moved by: Nesselhuf

Second by: Merchant

Action: Prevailed by voice vote.

HB 1017: provide for state adoption of the 2009 Uniform Plumbing Code.

Presented by: Mike Richards, Deptment of Labor Plumbing Commission

Proponents: Bob Riter, SD Plumbing, Heating & Cooling Association

MOTION: DO PASS HB 1017

Moved by: Merchant

Second by: Gant

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Gant, Merchant, Nesselhuf, Turbak Berry, Nelson, Olson (Russell)

MOTION: PLACE HB 1017 ON CONSENT CALENDAR

Moved by: Nesselhuf

Second by: Gant

Action: Prevailed by voice vote.

HB 1151: authorize funeral establishments to operate branch chapels.

Presented by: Senator Kathy Miles

Proponents: Bob Miller, Funeral Director's Association

MOTION: DO PASS HB 1151

Moved by: Nesselhuf

Second by: Merchant

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Gant, Merchant, Nesselhuf, Turbak Berry, Nelson, Olson (Russell)

MOTION: PLACE HB 1151 ON CONSENT CALENDAR

Moved by: Merchant
Second by: Adelstein
Action: Prevailed by voice vote.

HB 1038: clarify certain provisions relating to orders issued for examinations of certain insurers.

Presented by: Randy Moses, Division of Insurance

MOTION: DO PASS HB 1038

Moved by: Merchant
Second by: Adelstein
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Gant, Merchant, Nesselhuf, Turbak Berry, Nelson, Olson (Russell)

MOTION: PLACE HB 1038 ON CONSENT CALENDAR

Moved by: Adelstein
Second by: Nesselhuf
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Gant
Second by: Nesselhuf
Action: Prevailed by voice vote.

Lois Henry
Committee Secretary

Russell Olson, Chair